

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN**

JOHN L. ALLEN,

Plaintiff,

Case No. 05-C-975

v.

MATTHEW FRANK, Secretary,
Department of Corrections,
PHIL KINGSTON, Former Warden,
CCI, DR. JIM GARITI, M.D., Divine
Savior Hospital, BUNI KUMAPAYI,
R.N., M.S., DR. MARK A. KLIEWER,
Staff Radiologist, DR. FREDERICK
KELCZ, Staff Radiologist, CLARK
SCHUMACHER, Fellow Resident,
SEAN SHANNAHAN, Fellow Resident,
PATRICIA SIEDSCHLAG, Manager,
HSU, CCI, ANN SEMROW, Manager,
HSU, CCI, DR. GARY BRIDGEWATER,
Medical Doctor, CCI, JAMES GREER,
Director, Bureau of Health Services,
RICK RAEMISCH, Officer, OOS, CCI,
CINDY O'DONNELL, Officer, OOS, CCI,
JOHN RAY, Complaint Examiner, DOC,
SANDRA HAUTAMAKI, Complaint
Examiner, DOC, WILLIAM NOLAND, ICE,
Review System, CCI, CYNTHIA THORPE,
ICE, Review System, CCI, MICHELLE
ALBRECHT, ICE, Review System, CCI,
AMY MILLARD, ICE, Review System, CCI,
NANCY HAHNISCH, R.N., CCI,
PAUL PERSSON, R.N., CCI, STEVE
HELGERSON, R.N., CCI, DAVE DITTER,
Unit Manager, CCI, and MIKE MARSHALL,
Social Worker, CCI,

Defendants.

OPINION AND ORDER

The Defendants in this case have moved for summary judgment and have also asked this court to stay discovery until the summary judgment motions are resolved. The Plaintiff opposes the motions to stay because, among other reasons, he might need the discovery in connection with the summary judgment motions. See Federal Rule of Civil Procedure 56(d). Therefore, because discovery might be necessary, the court ORDERS that the “Motion to Stay Discovery” (filed December 15, 2005 by Defendants Kliewer and Kelcz) IS DENIED.

IT IS FURTHER ORDERED that the “Motion to Stay Discovery” (filed January 10, 2006 by Defendant Shannahan) IS DENIED.

Done and Ordered in Chambers at the United States Courthouse,
Milwaukee, Wisconsin, this 12th day of January, 2006.

s/ Thomas J. Curran
Thomas J. Curran
United States District Judge